

State of Kansas
Board of Technical Professions

Notice of Public Hearing on Proposed Administrative Regulations

A public hearing will be conducted on Thursday, July 31, 2014 at 10:00 a.m. in Room 510 of the Landon State Office Building, 900 SW Jackson, Topeka, Kansas to consider the adoption of proposed changes to existing rules and regulations of the Board of Technical Professions.

This 60-day notice of public hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Board of Technical Professions, Suite 507, Landon State Office Building, 900 SW Jackson, Topeka, Kansas 66612, or by email to maryd@ksbtp.ks.gov. All interested parties will be given a reasonable opportunity to present their views on the adoption of the proposed regulations orally during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Mary Leigh Dyck at 785-296-3053 or by email at maryd@ksbtp.ks.gov.

Summaries of the proposed regulations follow. There is no anticipated economic impact on the Board of Technical Professions, any other governmental agency or the public.

The proposed amendments in the following regulations are proposed to update the regulation in accordance with the provisions of the enrolled version of 2014 SB 349:

K.A.R. 66-6-1. Seals and signatures.

K.A.R. 66-6-4. Professional conduct.

K.A.R. 66-6-6. Renewal of licenses and certificates of authorization.

K.A.R. 66-8-4. Professional surveyor examinations.

K.A.R. 66-8-6. Reexamination.

K.A.R. 66-8-7. Geology examinations.

K.A.R. 66-8-8. Examination standards acceptable to the board for reciprocity applicants.

K.A.R. 66-9-5. Surveying curriculum approved by the board.

K.A.R. 66-9-6. Geology curriculum approved by the board.

K.A.R. 66-10-10. Surveying experience required of a graduate of an accredited engineering curriculum.

K.A.R. 66-10-10a. Surveying experience required of applicant who completes surveying curriculum or is a graduate of an approved surveying curriculum.

K.A.R. 66-10-11. Revoked.

K.A.R. 66-10-12. Surveying experience of a character satisfactory to the board.

K.A.R. 66-10-13. Geology experience of a character that is satisfactory to the board.

K.A.R. 66-10-14. Engineering, surveying, and geology experience standards acceptable to the board for reciprocity applicants.

K.A.R. 66-11-1a. Intern geologist certificate.

K.A.R. 66-11-1b. Intern surveyor certificate.

K.A.R. 66-11-4. Admission requirements for fundamentals of geology examination.

K.A.R. 66-11-5. Admission requirements for fundamentals of surveying examination.

K.A.R. 66-12-1. Minimum standards for the practice of professional surveying.

K.A.R. 66-14-6. Exemptions.

The proposed amendments in the following regulations are proposed to update the regulation in accordance with the provisions of the enrolled version of 2014 SB 349 and the reference documents as referred to in the two regulations:

K.A.R. 66-9-7. Educational standard acceptable to the board for reciprocity applicants.

K.A.R. 66-10-1. Architectural experience of a character satisfactory to the board.

This proposed regulation defines licensure status in accordance with the provisions of the enrolled version of 2014 SB 349:

K.A.R. 66-6-10. License statuses.

Copies of the proposed regulations and the economic impact statement for the proposed regulations may be obtained by contacting the board at the address and phone number given above, from the Board's website at www.ksbtp.ks.gov, or by email request to maryd@ksbtp.ks.gov.

Mary Leigh Dyck
Executive Director

66-6-1. Seals and signatures. (a) Each licensee shall obtain a seal of the design approved by the board in compliance with K.S.A. 74-7023, and amendments thereto. The seal may be a rubber stamp, an embossed seal, or a computer-generated seal.

(b) Each original drawing, document, technical report, legal description, record, and paper prepared by or under the direct supervision of the licensee in the licensee's professional capacity shall be stamped with the licensee's seal, unless the project is exempt from the requirements for licensure pursuant to K.S.A. 74-7031, K.S.A. 74-7032, K.S.A. 74-7033, K.S.A. 74-7034, or ~~K.S.A. 74-7042~~ 2014 SB 349, sec. 26, and amendments thereto.

After the licensee's seal has been applied to the original or record copy, the licensee shall place the licensee's handwritten signature and date across the seal.

(c)(1) Any licensee may use a digital signature if the signature meets all of the following requirements:

- (A) Is unique to the person using it;
- (B) is able to be verified;
- (C) is under the sole control of the person using it; and
- (D) is linked to an electronic document bearing the digital signature in such a manner that the signature is invalidated if any data in the document is altered.

(2) Each displayed copy of, and each hard copy printed from, a transmitted or stored electronic document containing a digital signature shall bear the facsimile of the signature, date of signing, and seal and shall be a confirmation that the electronic document was not altered after the initial digital signing of the document. If the electronic document is altered, the facsimile of the signature, date, and seal shall be caused to be voided. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. 2013 Supp. 74-7023, as amended by 2014 SB 349, sec. 17; effective May 1, 1978; amended May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13,

1995; amended March 1, 1996; amended Feb. 6, 1998; amended Nov. 2, 2001; amended March 28, 2008; amended, T-_____, _____; amended P-_____.)

66-6-4. Professional conduct. (a) For the purposes of this regulation, "licensee" shall mean an architect, ~~a geologist~~, a landscape architect, ~~a land surveyor~~, or a professional engineer licensed by the ~~Kansas state board of technical professions~~, a professional geologist, or a professional surveyor.

(b) If any licensee's professional judgment has been disregarded under circumstances in which the safety, health, or welfare of the public is endangered, the licensee shall inform the employer or client of the possible consequences, and the licensee shall notify the authority who issued the building permit or otherwise has jurisdiction.

(c) The licensee shall not advertise to perform or undertake to perform any assignment involving a specific technical profession unless the licensee is licensed and qualified by education and experience in that technical profession, as defined in K.S.A. 74-7003, and amendments thereto.

(d) A licensee in any technical profession shall not affix a personal or digital signature, seal, or both to any plan or document dealing with subject matter that is outside the licensee's field of practice as defined by K.S.A. 74-7003, and amendments thereto. ~~Additionally, as provided in K.S.A. 74-7023 and amendments thereto, a licensee in any technical profession shall not affix a personal signature, seal, or both to any plan or document of any individual licensed in a technical profession in another state, unless the licensee has completed a detailed review and evaluation of the documents and both individuals are licensed in the same field of practice.~~

(e) If the competence of any licensee to perform an assignment in a specific technical field is at issue, the licensee may be required by the board to pass an appropriate examination.

(f) In all professional reports, statements, and testimony, each licensee shall meet the following ~~criteria~~ requirements:

(1) Be completely objective and truthful; and

(2) include all relevant and pertinent information.

(g) When serving as an expert or technical witness before any court, commission, or other tribunal, each licensee shall express only opinions founded on the following:

(1) An adequate knowledge of the facts at issue;

(2) a background of technical competence in the subject matter; and

(3) an actual, good-faith belief in the accuracy and propriety of the licensee's testimony.

(h) If a licensee issues any statements, criticisms, or arguments on public policy matters that are inspired or paid for by any interested party or parties, those comments shall be prefaced by and include disclosure of the following:

(1) The ~~identities~~ identity of the each party or parties on whose behalf the licensee is speaking; and

(2) the existence of any pecuniary interest of the licensee.

(i) Each licensee shall disclose all known or potential conflicts of interest to employers or clients by promptly informing them of any business association, interest, or any other circumstances that could influence that licensee's judgment or the quality of the licensee's services.

(j) A licensee shall not accept compensation, financial or otherwise, from more than one party for services on the same project or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.

(k) A licensee shall not solicit or accept financial or other valuable consideration, directly or indirectly, from either of the following:

(1) Material or equipment suppliers for specifying their products; or

(2) contractors, their agents, or other parties in connection with work for employers or clients for which the licensee is responsible.

(l) A licensee shall not solicit a contract from a governmental body on which a principal or officer of the licensee's organization serves as a member, except upon public disclosure of all pertinent facts and circumstances and consent of the appropriate public authority.

(m) A licensee shall not offer, directly or indirectly, to pay a commission or other consideration or to make a political contribution or other gift in order to secure work, except for payment made to an employment agency for its services.

(n) In all contacts with prospective or existing clients or employers, each licensee shall accurately represent the licensee's qualifications and the scope of the licensee's responsibility in connection with work for which the licensee is claiming credit.

(o) A licensee shall not be associated with, or permit the use of the licensee's personal name or firm name in, a business venture being performed by any person or firm that the licensee knows, or has reason to believe, is engaging in either of the following:

- (1) Business or professional practice of a fraudulent or dishonest nature; or
- (2) a violation of K.S.A. 74-7001 et seq., and amendments thereto, or the regulations promulgated and adopted by the board, or both.

(p) Each licensee with knowledge of any alleged violation of K.S.A. 74-7001 et seq., and amendments thereto, or the regulations promulgated and adopted by the board, or both, shall report the alleged violation to the board.

(q) Each licensee shall cooperate with the board in its investigation of complaints or possible violations of K.S.A. 74-7001 et seq., and amendments thereto, and the regulations of the board. This cooperation shall include responding timely to written communications from the board, providing any information or documents requested within 30 days of the date on which the communication was mailed, and appearing before the board or its designee upon request.

(r) A licensee shall not assist any person in applying for licensure if the licensee knows that person to be unqualified with respect to education, training, experience, or character.

(s) Conviction of a felony or the revocation or suspension of a professional license by another jurisdiction, if for a cause that in ~~the state of~~ Kansas would constitute a violation of Kansas law or of these regulations, or both, shall constitute unprofessional conduct.

(t) A licensee shall not violate any order of the board.

(u) Each ~~land~~ professional surveyor shall comply with the minimum standards for the practice of ~~land~~ professional surveying adopted by reference in K.A.R. 66-12-1.

(v) Each licensee shall take appropriate measures to ensure that the licensee's drawings and specifications meet the following requirements:

(1) Remain the property of the licensee regardless of whether the project contemplated was executed;

(2) are not utilized for projects that were not contemplated at the time of the completion of the drawings and specifications; and

(3) are not used by the client on any other projects, including additions to the contemplated project, unless the licensee defaults or agrees in writing to this use. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12, 74-7023, and K.S.A. 2013 Supp. 74-7026, as amended by 2014 SB 349, sec. 20; effective May 1, 1978; amended May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended Feb. 4, 2000; amended Feb. 9, 2001; amended Nov. 2, 2001; amended Feb. 4, 2005; amended Jan. 5, 2007; amended March 28, 2008; amended, T-_____, _____; amended P-_____.)

66-6-6. Renewal of licenses and certificates of authorization. (a) Each licensee whose last name begins with one of the letters A through L shall renew the license in even-numbered years. Each licensee whose last name begins with one of the letters M through Z shall renew the license in odd-numbered years. A notice shall be issued by the board to each licensee

during the appropriate renewal year, and not later than 30 days before the following expiration dates:

- (1) Architects June 30;
 - (2) ~~engineers~~ April 30;
 - (3) ~~land surveyors~~ March 31;
 - (4) landscape architects December 31; and
 - (5) ~~geologists~~ June 30.
- (3) professional engineers April 30;
(4) professional geologists June 30; and
(5) professional surveyors March 31.

(b) Each business entity whose name begins with one of the letters A through L shall renew its certificate of authorization in even-numbered years. Each business entity whose name begins with one of the letters M through Z shall renew its certificate of authorization in odd-numbered years. A notice shall be issued by the board to each business entity during the appropriate renewal year, and not later than 30 days before the December 31 expiration date.

(Authorized by K.S.A. 2013 Supp. 74-7013, as amended by ~~L. 2009, Ch. 94, §3~~ 2014 SB 349, sec. 12; implementing K.S.A. 2013 Supp. 74-7025, as amended by ~~L. 2009, Ch. 94, §8~~ 2014 SB 349, sec. 19, and K.S.A. 2013 Supp. 74-7036, as amended by ~~L. 2009, Ch. 94, §13~~ 2014 SB 349, sec. 28; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended March 1, 1996; amended Feb. 4, 2000; amended Nov. 6, 2009; amended P-_____.)

66-6-10. License statuses. For licenses that renew on or after November 1, 2014, any licensee may elect to place the license, at the time of renewal, into one of the following license statuses:

(a) Active status shall require renewal every two years with the appropriate fee. The individual shall have 30 professional development hours (PDHs) of acceptable continuing education as required for renewal.

(b) Inactive status shall require renewal every two years with the appropriate fee. No continuing education shall be required. The individual shall have no pending disciplinary action before the board. The individual shall not practice a technical profession in Kansas.

(c) Emeritus status shall require the individual to be at least 60 years of age. The individual shall submit a one-time application, with no fee and no proof of continuing education required. The individual shall have no pending disciplinary action before the board. Any individual who chooses this license status may use that individual's professional title in conjunction with the word "emeritus." The individual shall not practice a technical profession in Kansas. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12, and K.S.A. 2013 Supp. 74-7025, as amended by 2014 SB 349, sec. 19; implementing K.S.A. 2013 Supp. 74-7025, as amended by 2014 SB 349, sec. 19; effective P-_____.)

66-8-4. ~~Land~~ Professional surveyor examinations. (a) The examinations required of each applicant for ~~land surveying~~ licensure as a professional surveyor shall be the following:

(1) The national council of examiners for engineering and surveying (NCEES) examinations covering the following:

(A) The fundamentals of surveying; and

(B) the principles and practices of surveying; and

(2) an examination covering Kansas surveying laws and practices.

(b) The fundamentals and the principles and practices of surveying examinations shall be graded by the NCEES, subject to approval by the board.

(c) ~~Each~~ Any applicant who has passed one or more sections of previous registration examinations may be granted transfer credits if approved by the board.

(d) Each applicant for a ~~professional~~ license as a ~~land~~ professional surveyor shall be required to pass the section on the fundamentals of surveying and shall meet the ~~professional~~ ~~land~~ surveying experience requirements under K.S.A. 74-7022, and amendments thereto, before submitting an application to take the section on professional practice. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by ~~L. 2009, Ch. 94, §3~~ 2014 SB 349, sec. 12; implementing K.S.A. 74-7017, K.S.A. 2013 Supp. 74-7022, as amended by ~~L. 2009, Ch. 94, §6~~ 2014 SB 349, sec. 15, and K.S.A. 2013 Supp. 74-7023, as amended by ~~L. 2009, Ch. 94, §7~~ 2014 SB 349, sec. 17; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; amended Nov. 1, 2002; amended Feb. 3, 2006; amended Nov. 6, 2009; amended P-_____.)

66-8-6. Reexamination. (a) Any applicant for a license to practice engineering, ~~land~~ surveying, or geology who fails an examination on the first attempt may take the examination two additional times, except as specified in subsections (b) and (c).

(b) Except as specified in subsection (c), the fourth and any subsequent attempts by an applicant to retake an examination may be allowed by the board if the applicant establishes that the areas of deficiency identified in the examination failure report provided by the testing administrator have been addressed through either of the following:

- (1) Additional coursework; or
- (2) experience under the supervision of a person licensed in the technical profession for which the applicant is seeking licensure.

(c) Any applicant's examination results may be rejected by the board and permission to retake an examination may be withheld by the board upon a report by the testing administrator

of any possible violation by the applicant of the provisions of any candidate testing agreement regarding examination irregularities.

(d) Each applicant shall submit the appropriate fee for each examination. (Authorized by K.S.A. ~~2012~~ 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. ~~2012~~ 2013 Supp. 74-7009, as amended by 2014 SB 349, sec. 10, and K.S.A. 2013 Supp. 74-7023, as amended by 2014 SB 349, sec. 17; effective May 1, 1984; amended May 4, 1992; amended June 18, 2010; amended Dec. 27, 2013; amended P-_____.)

66-8-7. Geology examinations. (a) The examination required of each applicant for geology licensure shall be the national association of state boards of geology (ASBOG[®]) examination, consisting of a geology fundamentals section and a geologic practice section.

(b) The examination shall be graded by the ASBOG[®], subject to approval by the board.

(c) Each applicant for a professional license shall be required to pass the section on geology fundamentals and shall meet the ~~professional~~ geology experience requirements under ~~K.S.A. 74-7041~~ 2014 SB 349, sec. 16, and amendments thereto, before submitting an application to take the section on geologic practice. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by ~~L. 2009, Ch. 94, §3~~ 2014 SB 349, sec. 12; implementing K.S.A. 74-7017, K.S.A. 2013 Supp. 74-7023, as amended by ~~L. 2009, Ch. 94, §7~~ 2014 SB 349, sec. 17, and ~~K.S.A. 74-7041, as amended by L. 2009, Ch. 94, §14~~ 2014 SB 349, sec. 16; effective Feb. 4, 2000; amended Nov. 6, 2009; amended, T-_____, _____; amended P-_____.)

66-8-8. Examination standards acceptable to the board for reciprocity applicants. (a) The reexamination of an applicant from another jurisdiction shall not be required for a license by reciprocity if that jurisdiction's examination requirements would have met the Kansas

requirements in effect on the date when the applicant's original license was issued, as determined by the board.

(b) Another jurisdiction's examination requirements may be accepted by the board if that jurisdiction did not require the national examination when the applicant was originally licensed.

(c) In order to meet the standard acceptable to the board, each applicant for a license by reciprocity as a ~~land~~ professional surveyor shall be required to demonstrate proficiency in Kansas ~~land~~ surveying laws and practices. This proficiency shall be presumed by the board upon the applicant's successful completion of the examination as specified in K.A.R. 66-8-4(a)(2). (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. 74-7024, as amended by 2014 SB 349, sec. 18; effective Feb. 4, 2005; amended Jan. 5, 2007; amended P-_____.)

66-9-5. Surveying curriculum approved by the board. Any applicant seeking licensure as a ~~land~~ professional surveyor may fulfill the education requirement by any of the following:

(a) Graduation from an approved engineering curriculum as defined in K.A.R. 66-9-4;

(b) graduation from a four-year ~~land~~ surveying baccalaureate curriculum accredited by the accreditation board for engineering and technology (ABET);

(c) graduation from an approved ~~land~~ surveying curriculum of two years from a school or college approved by the board;

(d) graduation from an approved four-year related science curriculum, which may include geology, mathematics, chemistry, or physics; or

(e) successful completion of the board's "land surveying curriculum," which was approved by the board on December 8, 2006 and is hereby adopted by reference. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12 ~~and 74-7022~~; implementing K.S.A. 2013 Supp. 74-7022, as amended by 2014 SB 349, sec. 15; effective Feb. 22, 1993; amended Feb. 14, 1994; amended Nov. 1, 2002; amended June 29, 2007; amended P-_____.)

66-9-6. Geology curriculum approved by the board. Graduation from a course of study in geology shall mean successful completion of a baccalaureate or a master's degree in geology that meets the requirements of ~~K.S.A. 74-7044~~ 2014 SB 349, sec. 16, and amendments thereto. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing ~~K.S.A. 74-7044~~ 2014 SB 349, sec. 16; effective Feb. 4, 2000; amended Feb. 4, 2005; amended, T-_____, _____; amended P-_____.)

66-9-7. Educational standard acceptable to the board for reciprocity applicants. For purposes of K.S.A. 74-7024 and amendments thereto, the following shall apply:

(a) Each applicant for a license to practice engineering, surveying, landscape architecture, or geology by reciprocity shall be deemed to have met the educational standard acceptable to the board if the applicant's educational qualifications when the original license was issued would have met the Kansas requirements in effect on that date.

(b) Each applicant for a license to practice architecture by reciprocity shall provide proof of certification by the national council of architectural registration boards (NCARB). The requirements for this certification shall be those specified in sections one through ~~six~~ five on pages ~~44-46~~ 11-15 of the "certification guidelines," published by the national council of architectural registration boards and revised ~~July 2012~~ January 2014. These ~~six~~ five sections are hereby adopted by reference. (Authorized by K.S.A. ~~2012~~ 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. 74-7024, as amended by 2014 SB 349, sec. 18; effective Feb. 4, 2005; amended Jan. 6, 2012; amended Dec. 27, 2013; amended P-_____.)

66-10-1. Architectural experience of a character satisfactory to the board. Each applicant shall complete the intern development program (IDP) as specified on pages 9-20 in the "intern

development program guidelines,” dated ~~November 2012~~ December 2013 and published by the national council of architectural registration boards (NCARB). These pages are hereby adopted by reference. Each applicant shall provide a completed record of architectural experience prepared by the NCARB. (Authorized by K.S.A. ~~2012~~ 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12, and K.S.A. 74-7019, as amended by 2014 SB 349, sec. 13; implementing K.S.A. 74-7019, as amended by 2014 SB 349, sec. 13; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; amended March 1, 1996; amended Feb. 6, 1998; amended Feb. 9, 2001; amended Nov. 1, 2002; amended Feb. 3, 2006; amended March 28, 2008; amended Nov. 6, 2009; amended June 18, 2010; amended Jan. 6, 2012; amended Dec. 27, 2013; amended P-_____.)

66-10-10. Surveying experience required of a graduate of an accredited engineering curriculum. Each graduate of an accredited engineering curriculum, as defined by K.A.R. 66-9-4, shall provide a verified record of six years of surveying experience as specified by K.S.A. 74-7022(a), and amendments thereto. At least four years of experience shall have been in progressive ~~land~~ surveying, as defined in K.A.R. 66-10-12(b)(1). (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. 2013 Supp. 74-7022, as amended by 2014 SB 349, sec. 15; effective May 1, 1984 amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended P-_____.)

66-10-10a. Surveying experience required of applicant who completes ~~land~~ surveying curriculum or is a graduate of an approved ~~land~~ surveying curriculum. (a) Each graduate of a four-year ~~land~~ surveying curriculum, as described in K.A.R. 66-9-5(b), shall be required to provide documentation of four years of surveying experience, as required by K.S.A. 74-7022(a);

and amendments thereto. The four years of experience shall have been in progressive ~~land~~ surveying, as described in K.A.R. 66-10-12(b)(1).

(b) Each person who has successfully completed the land surveying curriculum specified in K.A.R. 66-9-5(e) and each graduate of an approved ~~land~~ surveying curriculum of two years, as specified in K.A.R. 66-9-5(c), shall be required to provide documentation of six years of surveying experience, as required by K.S.A. 74-7022(a), and amendments thereto. At least four years of experience shall have been in progressive ~~land~~ surveying as specified in K.A.R. 66-10-12(b)(1), and the remainder shall have been in either progressive ~~land~~ surveying or basic ~~land~~ surveying, as specified in ~~paragraphs (b)(2), (3), and (4) of~~ K.A.R. 66-10-12(b)(2) or (3).

(Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12 and 74-7022; implementing K.S.A. 2013 Supp. 74-7022, as amended by 2014 SB 349, sec. 15; effective Feb. 22, 1993; amended Feb. 13, 1995; amended Jan. 5, 2007; amended June 29, 2007; amended P-_____.)

66-10-11. (Authorized by K.S.A. 74-7013 and 74-7022; implementing K.S.A. 74-7022; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended Feb. 9, 2001; amended Feb. 3, 2006; revoked P-_____.)

66-10-12. Surveying experience of a character satisfactory to the board. (a)(1) ~~Land~~ Surveying experience shall meet the following ~~criteria~~ requirements:

(A) Fall within the definition of “~~the practice of land~~ professional surveying” in K.S.A. 74-7003, and amendments thereto; and

(B) be under the direct supervision of a licensed ~~land~~ professional surveyor for work performed after May 1, 1988.

(2) Each applicant shall supply ~~at least three~~ references from at least three licensed ~~land~~ surveyors or licensed ~~professional~~ engineers who are familiar with the applicant's ~~land~~ surveying experience. At least one reference shall be from a licensed ~~land~~ surveyor.

(b) The following requirements shall be used to assign credit for work experience.

(1) Progressive ~~land~~ surveying experience shall include each of the following elements of professional ~~land~~ surveying:

- (A) Project management;
- (B) research;
- (C) measurements and locations;
- (D) computations and analysis;
- (E) legal principles and reconciliation;
- (F) land planning and design;
- (G) monumentation; and
- (H) documentation and land information systems.

(2) ~~Land~~ Surveying experience normally identified with engineering projects, including construction staking, curb and gutter projects, sanitary sewers, and design surveys for highways or bridges other than those that relate to right-of-way surveys, shall not be considered progressive ~~land~~ surveying experience. This experience, however, may be considered by the board as basic ~~land~~ surveying experience.

(3) Teaching experience in ~~land~~ surveying courses in an accredited engineering or ~~land~~ surveying curriculum may be considered as equal to one year of basic ~~land~~ surveying experience.

~~(4) Through June 30, 2012, if an applicant provides a record of surveying courses or related technical education courses, including mathematics, drafting, geology, chemistry, and physics, the applicant may be given credit for 0.5 years of experience in basic land surveying for every 15 semester hours of these educational courses. (Authorized by K.S.A. 2013 Supp. 74-~~

7013, as amended by 2014 SB 349, sec. 12 and 74-7022; implementing K.S.A. 2013 Supp. 74-7022, as amended by 2014 SB 345, sec. 15; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended Feb. 4, 2000; amended Feb. 9, 2001; amended Nov. 2, 2001; amended Feb. 3, 2006; amended P-_____.)

66-10-13. Geology experience of a character that is satisfactory to the board. (a) The work experience required of each applicant shall expose the applicant to all phases of work integral to the discipline of geology in which the applicant claims qualification to practice and shall be verified as specified in paragraph (b)(2).

(b) Geology experience shall meet the following requirements:

(1) Fall within the definition of “~~the~~ practice of professional geology” in K.S.A. 74-7003, and amendments thereto; and

(2) be directly supervised and verified by a licensed geologist for work performed after July 1, 2000. However, direct supervision by a licensed geologist shall not be required of the employees of any person, firm, or corporation that does not offer services in the technical professions to the public, although verification by the applicant’s supervisor shall still be required.

(c) The following shall be used to assess credit for work experience:

(1) Experience credit shall not be allowed for work performed before graduation.

(2) One year of credit toward the experience requirement may be given for a master’s degree in geology or in a closely related specialty area acceptable to the board.

(3) Teaching geology in a college or university that offers a geology curriculum of four years or more approved by the board may be considered geology experience.

(d) Each applicant shall supply ~~at least three~~ references from at least three licensed geologists or licensed ~~professional~~ engineers who are familiar with the applicant’s geology experience. At least two of these references shall be licensed geologists. One of the three

references may be a licensed ~~professional~~ engineer. (Authorized by K.S.A. ~~2012~~ 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing ~~K.S.A. 2012 Supp. 74-7041~~ 2014 SB 349, sec. 16; effective Feb. 4, 2000; amended Feb. 9, 2001; amended Nov. 2, 2001; amended Nov. 1, 2002; amended Dec. 27, 2013; amended, T-_____, _____; amended P-_____.)

66-10-14. ~~Professional~~ Engineering, ~~land~~ surveying, and geology experience standards acceptable to the board for reciprocity applicants. (a) Each applicant for ~~an~~ a professional engineering license by reciprocity shall meet the following requirements:

(1) Provide verification from the employer of at least four years of experience in the practice of professional engineering, as defined in K.S.A. 74-7003 and amendments thereto. One year of credit toward the experience requirement may be given for a master's or doctoral degree in engineering; and

(2) supply ~~at least three~~ references from ~~professional~~ at least three engineers who are licensed in the United States and are familiar with the applicant's engineering experience.

(b) Each applicant for a ~~land~~ professional surveying license by reciprocity shall meet the following requirements:

(1) Provide verification from the employer of at least eight years of ~~land~~ surveying experience or education, or a combination of these, pursuant to K.S.A. 74-7022 and amendments thereto, K.A.R. 66-10-10, K.A.R. 66-10-10a, K.A.R. 66-10-10b, and K.A.R. 66-10-11; and

(2) supply ~~at least three~~ references from at least three licensed ~~land~~ surveyors or licensed ~~professional~~ engineers who are familiar with the applicant's ~~land~~ surveying experience. At least one reference shall be from a licensed ~~land~~ surveyor.

(c) Each applicant for a professional geology license by reciprocity shall meet the following requirements:

(1) Provide verification from the employer of at least four years of experience in the practice of professional geology, as defined in K.S.A. 74-7003 and amendments thereto. One year of credit toward the experience requirement may be given for a master's degree in geology or in a closely related specialty area acceptable to the board; and

(2) supply ~~at least three~~ references from at least three licensed geologists or licensed ~~professional~~ engineers who are familiar with the applicant's geology experience. At least two of these references shall be from licensed geologists. One of the three references may be from a licensed ~~professional~~ engineer. (Authorized by K.S.A. ~~2012~~ 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12, K.S.A. 2013 Supp. 74-7021, as amended by 2014 SB 349, sec. 14, K.S.A. 2013 Supp. 74-7022, as amended by 2014 SB 349, sec. 15, and 74-7041 2014 SB 349, sec. 16; implementing K.S.A. 2012 2013 Supp. 74-7018, K.S.A. 2012 2013 Supp. 74-7021, as amended by 2014 SB 349, sec. 14, K.S.A. 2012 2013 Supp. 74-7022, as amended by 2014 SB 349, sec. 15, K.S.A. 74-7024, as amended by 2014 SB 349, sec. 18, and K.S.A. 2012 Supp. 74-7041 2014 SB 349, sec. 16; effective Feb. 4, 2005; amended Feb. 3, 2006; amended Nov. 6, 2009; amended Dec. 27, 2013; amended, T-_____, _____; amended P-_____.)

66-11-1a. Intern geologist certificate. An intern geologist certificate shall be issued to each individual who meets both of the following requirements:

(a) Passes the examination in the fundamentals of geology as administered by the national association of state boards of geology (ASBOG®); and

(b) submits proof of completion of a baccalaureate or master's degree in geology pursuant to K.A.R. 66-9-6. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by L. 2009, Ch. 94, §3 2014 SB 349, sec. 12; implementing K.S.A. 74-7041, as amended by L. 2009, Ch. 94, §14 2014 SB 349, sec. 16; effective Nov. 1, 2002; amended Nov. 6, 2009; amended, T-_____, _____; amended P-_____.)

66-11-1b. Intern ~~and~~ surveyor certificate. An intern ~~and~~ surveyor certificate shall be issued to each individual who meets both of the following requirements:

(a) Passes the examination in the fundamentals of surveying as administered by the national council of examiners for engineering and surveying (NCEES); and

(b) submits proof of completion of the surveying curriculum described in K.A.R. 66-9-5.

(Authorized by K.S.A. 2013 Supp. 74-7013, as amended by ~~L. 2009, Ch. 94, §3~~ 2014 SB 349, sec. 12; implementing K.S.A. 2013 Supp. 74-7022, as amended by ~~L. 2009, Ch. 94, §6~~ 2014 SB 349, sec. 15; effective Nov. 1, 2002; amended Nov. 6, 2009; amended P-_____.)

66-11-4. Admission requirements for fundamentals of geology examination. (a) Each application shall be reviewed by the board to determine whether the requirements for examination have been met. Once the board establishes that the requirements have been met, the applicant shall be allowed to sit for the examination.

(b) The requirements for admission shall be either of the following:

(1) Senior status in a geology curriculum as defined in K.A.R. 66-9-6; or

(2) completion of a geology curriculum described in K.A.R. 66-9-6. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by ~~L. 2009, Ch. 94, §3~~ 2014 SB 349, sec. 12; implementing K.S.A. 2013 Supp. 74-7023, as amended by ~~L. 2009, Ch. 94, §7~~ 2014 SB 349, sec. 17, and ~~K.S.A. 74-7041, as amended by L. 2009, Ch. 94, §14~~ 2014 SB 349, sec. 16; effective Feb. 4, 2000; amended Nov. 6, 2009; amended, T-_____, _____; amended P-_____.)

66-11-5. Admission requirements for fundamentals of surveying examination. (a) Each application shall be reviewed by the board to determine whether the requirements for admission to take the fundamentals of surveying examination have been met. Once the board establishes that these requirements have been met, the applicant shall be allowed to sit for the examination.

(b) Each applicant shall meet one of the following requirements for admission before taking the examination:

(1) Graduation from an accredited ~~land~~ surveying curriculum, as defined in K.A.R. 66-9-5

(b) and (c);

(2) successful completion of the ~~land~~ surveying curriculum specified in K.A.R. 66-9-5(e); or

(3) verification of a combination of education and experience of a character satisfactory to the board. In evaluating an applicant's record, a determination shall be made by the board of whether, based on the applicant's educational background, the applicant requires no more than four years of additional progressive ~~land~~ surveying experience to qualify for admission to the practice of surveying examination. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. 2013 Supp. 74-7022, as amended by 2014 SB 349, sec. 15, and K.S.A. 2013 Supp. 74-7023, as amended by 2014 SB 349, sec. 17; effective Nov. 1, 2002; amended Feb. 3, 2006; amended June 29, 2007; amended Jan. 23, 2009; amended P-_____.)

66-12-1. Minimum standards for the practice of ~~land~~ professional surveying. The board hereby adopts by reference the following:

(a) The "minimum standard detail requirements for ALTA/ACSM land title surveys (effective February 23, 2011)"; and

(b) the "Kansas minimum standards for boundary surveys and mortgagee title inspections standards of practice" adopted by the Kansas society of land surveyors and last amended December 2009, except that the preface and scope sections shall be deleted. (Authorized by and implementing K.S.A. 2010 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; ~~implementing K.S.A. 74-7037~~; effective May 4, 1992; amended Feb. 14, 1994; amended Feb. 13, 1995; amended March 1, 1996; amended Feb. 4, 2000; amended Jan. 23, 2009; amended

June 18, 2010; amended Jan. 6, 2012; amended, T-_____, _____; amended P-_____.)

66-14-6. Exemptions. A licensee may be exempt, upon board review and approval, from continuing education requirements in any of the following situations:

(a) The licensee is renewing for the first time.

(b) The licensee is called to active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a calendar year. This individual may be exempt from obtaining the 15 professional development hours (PDH) required only during that year.

(c) The licensee ~~experiences physical disability, illness, or other extenuating circumstances and certifies that the licensee is not currently practicing a technical profession. The licensee shall provide supporting documentation for the board's review and approval. If the licensee elects to return to practice, the licensee shall earn 30 professional development hours for the last renewal period or shall meet the requirement specified in K.A.R. 66-14-10 or K.A.R. 66-14-11.~~

(d) ~~The licensee lists the licensee's occupation as retired on the board-approved renewal form and certifies that the licensee is not currently practicing a technical profession.~~ chooses to have the license placed on inactive status or emeritus status as specified in K.A.R. 66-6-10. If the licensee elects to return to practice, the licensee shall earn 30 professional development hours for the last renewal period or shall meet the requirement specified in K.A.R. 66-14-10 or K.A.R. 66-14-11. (Authorized by K.S.A. 2004 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. 2004 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12, and K.S.A. 2013 Supp. 74-7025, as amended by 2014 SB 349, sec. 19; effective March 1, 1996; amended Feb. 4, 2000; amended Nov. 1, 2002; amended P-_____.)

ECONOMIC IMPACT STATEMENT

The economic impact for revisions of K.A.R. 66-6-1, 66-6-4, 66-6-6, 66-6-10, 66-8-4, 66-8-6, 66-8-7, 66-8-8, 66-9-5, 66-9-6, 66-9-7, 66-10-1, 66-10-10, 66-10-10a, 66-10-11, 66-10-12, 66-10-13, 66-10-14, 66-11-1a, 66-11-1b, 66-11-4, 66-11-5, 66-12-1 and 66-14-6 is as follows:

1. There is no anticipated economic impact on the Board of Technical Professions, any other governmental agency, or the public.
2. These regulations are not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program.